GPN-J-332-ARHCB-8_94-13,10,500-ALA4.
SPL.H.C.A.S.C.D. 79e.

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE.
CRIMINAL WRIT PETITION NO. 1340 OF 2000

U.S. Sane and ors ...Petitioner
versus

Harish B. Bhatt and ors. ...Respondent.

Office Notes, Office Memorada orders or directions and Registrar‘s orders.

Court‘s or Judge‘s Orders.

Ms. Nayana Thatte i/b S.M.Oak for the petitioner.
Shri A.M.Shringarpure App for State

CORAM; V.G. PALSHIKAR, J.

DTAED; 16TH JUNE, 2005.

P.C.

1. In view of the fact that the complaint impugned in this petition contains charges of offences committed under the Maharashtra Ownership Flats (Regulation of the promotion of Construction, Sale, Management and Transfer) Act 1963. Issuance of process on the complaint was challenged before the Magistrate. Revision Application was also rejected. Hence this petition.

2. The offences on the basis of which the complaint is filed include the offence under section 420 read with 34 of IPC. Consequently the trial of the complaint if it proceeds would be a warrant case. Consequently it shall be open for the petitioner to submit before the trial Judge that charge itself need not be framed as no offence is disclosed. That being the fatual position available to the petitioner, I see no reason to keep this petition pending. It is accordingly disposed of.

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